THE HON'BLE SRI JUSTICE BILAL NAZKI

AND

THE HON'BLE SRI JUSTICE G.CHANDRAIAH

WRIT PETITION No. 6092 of 2006

28.3.2006

Between:

M/s.Track Fujico Air Systems Ltd., Hyderabad, rep. by its Director.

…Petitioner

And

The Additional Commissioner (CT) Legal, Office of the Commissioner of Commercial Taxes, Hyderabad and others.

….Respondents.

THE HON'BLE SRI JUSTICE BILAL NAZKI

AND

THE HON'BLE SRI JUSTICE G.CHANDRAIAH

WRIT PETITION No. 6092 of 2006

ORDER : (Per Hon'ble Sri Justice Bilal Nazki)

Heard learned Counsel for the parties. With their consent the

Writ Petition is disposed of at this stage.

Pending appeal, the petitioner filed an application seeking stay of the recovery, which has been declined. It is submitted that out of the disputed tax liability, the petitioner has already deposited some amounts. Therefore, in the interest of justice, we direct that there shall be stay of recovery till disposal of appeal, subject to deposit of half of the total liability minus the amounts if any, already deposited by the petitioner, within a period of four weeks from today. For four weeks, there shall be an unconditional stay and the stay shall continue till disposal of the appeal, provided the amount is deposited within four weeks. The deposit of amount shall be without prejudice to the rights of the petitioner in the appeal.

Writ Petition is accordingly disposed of. No costs.

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(BILAL NAZKI, J)

28th March 2006

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(G.CHANDRAIAH,J)

N.B :

Order by wire at party's cost.

(B/o)

ajr